



1 of 2

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/821,726
	Filing Date	April 8, 2004
	First Named Inventor	Michael W. GRAHAM
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	18 + 84 refs	Attorney Docket Number 546322000305

ENCLOSURES (check all that apply)		
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PATENT  
Docket No. 546322000305

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LILIA OLSEN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael W. GRAHAM et al.

Serial No.: 10/821,726

Filing Date: April 8, 2004

For: SYNTHETIC GENES AND GENETIC  
CONSTRUCTS

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

**MAIL STOP: AMENDMENT**  
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Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents marked with \* were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/100,807, filed June 19, 1998, (Now US Patent No. 6,573,099), Serial Number 10/346,853 filed January 17, 2003,

and Serial Number 10/759,841 filed January 15, 2004, and, accordingly, copies are not included herewith.

This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ **Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

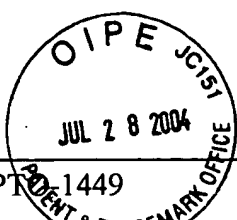
In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 546322000305. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 28, 2004

Respectfully submitted,

By: Michael R. Ward  
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<b>Form PTO 1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number <b>546322000305</b>	Application Number <b>10/821,726</b>
	Applicant <b>Michael Wayne GRAHAM and Robert Norman RICE</b>	
	Filing Date <b>April 8, 2004</b>	Group Art Unit <b>1632</b>
	Mailing Date <b>July 26, 2004</b>	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	8/25/1998	* 5,798,265	Springer et al.			
	2.	7/4/2002	* 2002/0086356 A1	Tuschl et al.			
	3.	8/22/2002	* 2002/0114784 A1	Li et al.			
	4.	2/6/2003	* 2003/0027783 A1	Zernicka-Goetz			
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Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	22.	6/9/99	* EP 0 921 195 A1	EP			
	23.	8/7/02	* EP 1 229 134 A1	EP			

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				Mailing Date <b>July 26, 2004</b>			
	24.	1/13/00	* WO 00/01846	WIPO			
	25.	10/26/00	* WO 00/63364	WIPO			
	26.	4/26/01	* WO 01/29058	WIPO			
	27.	5/25/01	* WO 01/36646	WIPO			
	28.	1/18/01	* WO 01/04313	WIPO			
	29.	7/5/01	* WO 01/48183	WIPO			
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	53.	9/30/99	WO 99/49029	WIPO			
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	111.	*Depicker, A., et al. (1997), "Post-transcriptional Gene Silencing in Plants", Current Opinion in Cell Biology 9(3):373-382	
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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>		Docket Number <b>546322000305</b>	Application Number <b>10/821,726</b>
		Applicant  Michael Wayne GRAHAM and Robert Norman RICE	
		Filing Date <b>April 8, 2004</b>	Group Art Unit <b>1632</b>
		Mailing Date <span style="float: right;"><b>July 26, 2004</b></span>	
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